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June 7, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
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From: William T Fujioka
Chief Executive Officer

WASHINGTON, D.C. UPDATE ON HOMELAND SECURITY APPROPRIATIONS BILL

Executive Summary

This memorandum provides an update on H.R. 2217, the Federal Fiscal Year (FFY) 2014 Homeland Security Appropriations Bill, which the House passed on June 6, 2013.

- H.R. 2217 provides \$39 billion in total discretionary spending in FFY 2014, which is \$618 million below the FFY 2013 enacted level. The President has threatened to veto the bill because its spending level adheres to the House-passed FFY 2014 Budget Resolution, which assumes that sequestration spending cuts will take effect in FFY 2014 and replaces defense sequestration cuts with deeper cuts in non-defense spending. It is expected that a Continuing Resolution will be required to temporarily fund programs in FFY 2014 because the Homeland Security and other individual appropriations bills will not be enacted by the start of the fiscal year.
- The bill appropriates \$1.51 billion for Federal Emergency Management Agency's (FEMA) State and Local Programs, slightly more than in FFY 2013. Similar to last year, it rejected the President's budget proposal to consolidate FEMA State and Local Programs, including the State Homeland Security Grant Program and Urban Area Security Initiative Grant into a new National Preparedness Grant Program.

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FEMA State and Local Grants

H.R. 2217 appropriates \$1.51 billion for the FEMA state and local preparedness grant program account, which includes the State Homeland Security Grant Program (SHSGP) and Urban Area Security Initiative (UASI) through which the County receives funding. This represents a three percent increase above the enacted FFY 2013 level. FEMA recently announced FFY 2013 preparedness grant allocations, which included a \$52.205 million SHSGP allocation to California and a \$65.908 million UASI allocation to the Los Angeles urban area.

Similar to last year, the bill provides FEMA with significant discretion in deciding how much funds in the State and Local Program account are allocated to individual programs, such as SHSGP and UASI, rather than specifying their program funding levels. The bill once again rejected the President's budget proposal to consolidate FEMA State and Local Programs, including SHSGP and UASI, into a new National Preparedness Grant Program (NPGP). The County has opposed the Administration's NPGP proposal, which, unlike SHSGP and UASI, would not allocate funding using risk-based formulas and would not require states to pass through funds to local governments.

The bill funds Firefighting Assistance Grants (\$675 million) and Emergency Management Performance Grants (\$350 million) at roughly the same level as in FFY 2014, but cuts Urban Search and Rescue funding by \$7.667 million to \$27.513 million and the Predisaster Mitigation Fund by \$2.475 million to \$22.500 million in FFY 2014.

Immigration Amendment

Before passing H.R. 2217 on a 245 to 182 vote, the House approved, 224 to 201, an amendment by Representative King (R-IA), which would prohibit the use of funds to implement six immigration discretion enforcement memoranda, including one that established Deferred Action for Childhood Arrivals (DACA). Under DACA, certain undocumented immigrants who entered the country before age 16 and who are under age 31 may apply for deferred action status to temporarily remain in the country legally if they meet certain educational or military service requirements. As of April 30, 2013, nearly 516,000 individuals had applied for deferred action status under DACA.

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Legislative Outlook

The Senate has not yet scheduled a mark-up of its version of the FFY 2014 Homeland Security Appropriations Bill. However, the overall discretionary spending level in the Senate version will be higher than in the House bill. This is because the House Appropriations Committee has set lower overall levels, known as 302(b) allocations, for each non-defense FFY 2014 appropriations bill, assuming that sequestration spending cuts will take effect in FFY 2014 and that defense sequestration cuts would be replaced by deeper cuts in non-defense spending. Senate Appropriations Committee Chair Mikulski (D-MD) has indicated that FFY 2014 discretionary spending will total \$1.058 trillion in the Senate, which is \$91 billion higher than in the House. The President also is threatening to veto H.R. 2217 because it assumes that sequestration cuts will take effect in FFY 2014 and replaces defense sequestration cuts with deeper cuts in non-defense spending. The President wants to avert sequestration cuts with an alternative deficit reduction plan which would include revenue increases.

It is expected that the FFY 2014 Homeland Security Appropriations Bill and other appropriations bills will not be enacted by the start of FFY 2014 so Congress will have to enact a Continuing Resolution to temporarily fund Federal programs and operations until full-year appropriations are enacted. In short, as in recent years, the divided government and deep partisan differences are expected to continue to delay the enactment of budget legislation needed to avoid a government shutdown.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

c: Executive Office, Board of Supervisor
County Counsel